

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CIVIL ACTION NO. 12-1721
	:	
v.	:	
	:	
JAMES KELLY, JR.	:	CRIM. ACTION NO. 07-123

ORDER

AND NOW, this 27th day of June, 2013, upon consideration of James Kelly, Jr.'s Motion to Vacate, Set Aside or Correct Sentence pursuant to 28 U.S.C. § 2255 (Crim. Docket No. 131), all documents filed in connection therewith, and the Hearing held on May 8, 2013, and in accordance with the accompanying Memorandum, **IT IS HEREBY ORDERED** that the Motion is **DENIED**. As Kelly has failed to make a substantial showing of the denial of a constitutional right, there is no basis for the issuance of a certificate of appealability. The Clerk is directed to **CLOSE** Civil Action No. 12-1721.

BY THE COURT:

/s/ John R. Padova

John R. Padova, J.